

# HOUSE BILL No. 1279

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-32-5-16.

**Synopsis:** ISTEP for students with disabilities. Provides that a child with a disability may participate in ISTEP testing only if the individuals who develop the child's individualized education program determine the testing is appropriate for the child.

**Effective:** July 1, 2008.

**Simms**

January 15, 2008, read first time and referred to Committee on Education.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## HOUSE BILL No. 1279

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 20-32-5-16, AS ADDED BY P.L.1-2005,  
2       SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2008]: Sec. 16. (a) A student who is a child with a disability  
4       (as defined in IC 20-35-1-2) shall be tested under this chapter with  
5       appropriate accommodations in testing materials and procedures ~~unless~~  
6       **only if** the individuals who develop the child's individualized education  
7       program determine that testing or a part of the testing under this  
8       chapter is ~~not~~ appropriate for the student and that an alternate  
9       assessment will **not** be used to test the student's achievement.  
10       (b) Any decision concerning a student who is a child with a  
11       disability (as defined in IC 20-35-1-2) regarding the student's:  
12       (1) participation in testing under this chapter;  
13       (2) receiving accommodations in testing materials and  
14       procedures;  
15       (3) participation in remediation under IC 20-32-8; or  
16       (4) retention at the same grade level for consecutive school years;  
17       shall be made in accordance with the student's individualized education



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1 program in compliance with the ISTEP program manual and federal  
2 law.

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